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LEGISLATIVE SCORECARD

BASED ON THE PRINCIPLES OF THE U.S. CONSTITUTION



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Gustavo Rivera

New York Senator, SD-033 (D)

freedomindex.us/9313/



NY Legislative Scorecard 2025: 0%

✓ Constitutional ✗ Unconstitutional — Did not Vote **Vote**

1. Speed Limiter: Mandates that drivers who accumulate 11 or more points on their driving record within 24 months, or receive six speed-camera or red-light camera tickets in 12 months, must have an "intelligent speed assistance" device-also known as a "speed limiter"-installed in any vehicle they own or operate.



Constitutional: **No** · Cast: **Yes** · S04045 · 06/12/2025

2. Inmates and Welfare Benefits: Helps individuals leaving correctional facilities enroll in vital safety-net programs, such as SNAP, WIC, HEAP, public assistance, or Supplemental Security Income.



Constitutional: **No** · Cast: **Yes** · S05059 · 06/10/2025

3. Second Amendment Waiver: Introduces an optional self-imposed waiver allowing individuals to voluntarily give up their right to purchase firearms, rifles, or shotguns.



Constitutional: **No** · Cast: **Yes** · S01026 · 06/09/2025

4. Carbon Farming: Establishes a tax credit for farmers who adopt land-management practices aimed at maximizing carbon sequestration, such as those that store greenhouse gases in soil and vegetation using tools like USDA's COMET?Planner.



Constitutional: **No** · Cast: **Yes** · S01529 · 05/06/2025

5. Taxpayer Abortion Support: Expands the state-funded "Reproductive Freedom and Equity Grant Program" to cover abortion-related access costs such as travel, lodging, meals, childcare, translation, and doula support.



Constitutional: **No** · Cast: **Yes** · S00135 · 01/21/2025

6. Automatic Voter Registration: Establishes automatic voter registration (AVR) and pre-registration in New York. Individuals applying for eligible Department of Motor Vehicles (DMV) documentation, as well as those applying for or re-enrolling in Medicaid, would automatically be registered or pre-registered to vote.



Constitutional: **No** · Cast: **Yes** · S00088 · 01/13/2025

Why do these votes matter?

1. Speed Limiter

S4045 mandates that drivers who accumulate 11 or more points on their driving record within 24 months, or receive six speed-camera or red-light-camera tickets in 12 months, must have an "intelligent speed assistance" device—also known as a "speed limiter"—installed in any vehicle they operate.

The New York State Senate passed S4045 on June 12, 2025 by a vote of 44 to 15. We have assigned pluses to the nays because by mandating speed-limiting devices, the state tramples upon the Ninth Amendment's protection of individual liberty and the Fifth Amendment's protection of property rights, depriving individuals of the full use of their own vehicles without due process. Moreover, speed and red-light cameras themselves are unconstitutional, as they subject citizens to constant surveillance and penalties in violation of the Fourth, Fifth, Ninth, and 14th Amendments.

2. Inmates and Welfare Benefits

S5059 helps individuals leaving correctional facilities enroll in vital safety-net programs, such as SNAP, WIC, HEAP, public assistance, or Supplemental Security Income, by having a "benefits navigator" assist with applications within 72 hours after parole approval.

The New York State Senate passed S5059 on June 10, 2025 by a vote of 45 to 13. We have assigned pluses to the nays because these programs are socialist, unconstitutional, federally funded schemes that erode personal responsibility and foster government dependency. Article I, Section 8 of the Constitution grants no authority for Congress to establish welfare programs.

3. Second Amendment Waiver

S1026 introduces an optional self-imposed waiver allowing individuals to voluntarily give up their right to purchase any firearm. Once filed with the Division of State Police, the person is added to state and national background-check systems to block firearm purchases.

The New York State Senate passed S1026 on June 9, 2025 by a vote of 47 to 15. We have assigned pluses to the nays because it is impossible for an individual to lawfully waive a right that is God-given and unalienable. The Second Amendment clearly affirms that "the right of the people to keep and bear Arms, shall not be infringed."

4. Carbon Farming

S1529 creates a tax credit for farmers who use land-management practices that capture carbon, measured with USDA's COMET-Planner. Government agencies, will set rules and issue certificates determining sequestration levels and credit values. If the credit exceeds taxes owed, farmers earning \$60,000 or less in New York income may receive a refund.

The New York State Senate passed S1529 on May 6, 2025 by a vote of 61 to 0. We have assigned pluses to the nays because this legislation expands government power by using selective tax credits to push UN Agenda 2030 carbon-sequestration practices, favoring some farmers over others and violating equal protection. It shifts tax burdens in ways that undermine property rights, relies on unconstitutional USDA programs not authorized under Article I, Section 8, and entangles agriculture in global climate schemes at the expense of sovereignty, free enterprise, and private property.

5. Taxpayer Abortion Support

S135 expands support for individuals seeking an abortion by allowing financial assistance for access costs—such as transportation (ground and air), lodging, meals, childcare, translation services, and doula support. It enhances the existing "Reproductive Freedom and Equity Grant Program" funded solely through state appropriations.

The New York State Senate passed S135 on January 21, 2025 by a vote of 39 to 20. We have assigned pluses to the nays because government's duty is to protect life, not destroy it. Abortion violates the God-given, unalienable right to life—secured by the Fifth, Ninth, and 14th Amendments and affirmed in the Declaration of Independence. No one has a right to kill the preborn or force taxpayers to fund it. New York should outlaw abortion and end unconstitutional taxation that compels citizens to finance such evils.

6. Automatic Voter Registration

S88 establishes automatic voter registration and pre-registration in New York. Individuals applying for eligible DMV documentation, as well as those applying for or re-enrolling in Medicaid, would automatically be registered to vote.

The New York State Senate passed S88 on January 13, 2025 by a vote of 40 to 21. We have assigned pluses to the nays because automatic voter registration undermines election integrity by risking the registration of noncitizens and other ineligible individuals, inflating voter rolls, and making fraud easier to commit. This partisan scheme is designed to keep government-dependent individuals—particularly Medicaid recipients—on the rolls to secure votes for one party. Voter registration is a personal civic duty, not a function to be manipulated by government in order to manufacture votes and tilt elections.